G. R. S. IX-5]

Previous references.

1916-17 /

(Police)

File No. 196-13

Serial Nos. 1 & 22

Later references.

pol 58-19 (1-6)

GENERAL AND REVENUE SECRETARIAT.

Preserve
Hon
4/7/19.

Serial Nos. 1 & 22

Part B for April 1917

SUBJECT.

Memorial of Mr Stanley E. Jenkins of Gorgum, K. G. F. regarding the shooting of a bison by him in the Chamarajanagar Game Preserve.

22) To The F. A. Resident in Mysore
No Pol 1055 dy 20-4-1917
States that Mr P. F. Bowring J. P who tried the Case discharged the accused under Sec: 253 of the Criminal procedure Code.

for Dewan Rahmat Khan
20/7/1917

W D 88—GPB—50,000—24-7-16

G. R. S. 11] 1915-16 (1

GENERAL AND REVENUE SECRETARIAT.

(Police)

NOTES.

File No. 196-15

FILE HEADING.

Memorial of Mr. Stanley E. Jenkins of Coorgpum, K.S.F. regarding the shooting of a bison by him in the Chamarajnagar Game Reserve.

From

The Private Secy. to H.H. the Maharaja.

No. 4111 Dated 10.5.16 Received 13.5.16

Diary No. J2948 Enclos. 2 Spare Copies. Serial No. 1

BRIEF ABSTRACT OF LETTER.

Forwards, for disposal, the above memorial.

NOTES AND ORDERS.

Dewan's order:-

"Secy. for favour of necessary action. Matter after disposal may be explained to me in person.

(Sd.) M.V. 12-5-16.

2) Subk. for orders with a draft calling

NOTES—First Sheet.

g 3208 29.8

(2

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 196 of 1915-16

Serial No.

for a report from the Conservator of Forests.

BG. 13-5-16

3) Done RM 15/5

J Sub A 9.6

2 To the Conservator of Forests. no 4646 of 23-5-16

Calls for a very early report.

4) No reply has yet been received. May a reminder issue?

BG. 9.6.16.

5) Yes EB 9/6.

6) Draft subd.

Submit BG. 10.6.16

7) Done EB 10/6

Reminder issued. no. T 4844 of 10.6.16

3 From the Conservator of Forests. no. 13065 of 28.6.16.

Submits the report called for.

8) Subd. The memorial of Mr. Jenkins has not been received. A draft calling for it is put up.

BG. 30.6.16.

J Sub A 4/7

9) Done EB 3/7

4 To the same Officer no 928 4th July 1916

Request that the memorial of Mr. Jenkins may be returned.

NOTE—Contn. sheet.

GPB—70,000—17-12-15

G. R. S. 12]

(3

General and Revenue Secretariat. | Police File No. 196 of 1915-16

Serial No. 5

From
The Conservator of Forests No. 313-27/11-7-16

Returns the memorial.

10) Mr. Jenkins and Dr. Freeman trespassed into the Chamarajnagar Game Preserve and shot a bison. When the Game Supervisor refused to give up the head of the bison to Mr. Jenkins the latter assaulted him. The Supervisor has lodged a complaint before the Dt. Magte. Mysore against the two persons for trespass into the Game Preserve and for assault.

on 28-5-16

11) Mr. Jenkins admits having trespassed into the Game Preserve but regrets & apologises for the mistake 'made entirely in ignorance of the ground.' As regards the assault he simply says 'we went back to Naglie to intimate the Game Preserve officer and tried to obtain the head.' Mr. Jenkins requests that the head may be returned to him as it is his first trophy.

JCB

12) The report of the Officer in charge of the Game Preserves goes to show that there was no justification at all for Mr. Jenkins' conduct. The conservator, however, thinks that the complaint of trespass may be

NOTE—Contn. sheet.

GPB—70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 196 of 1915-16.

Serial No.

withdrawn and the case compounded.

13) Subd. for orders.

B.H.
13-7-16.

14) Please portray draft enquiring in what stage the case now is. Mr Jenkins seeing apparently a European could not be tried by the Magistrate, Lugsar, and the case must have been transferred to the file of a J.P. The result of the case has to be intimated Known.

Pic 14/7

15) Subd. with a draft to the D.M. Lugsar Dt.

B.H.
14-7-16.

16) Done 14/7

J
Sunt

To The D.M. Lugsar,

No. D 257 17th July 1916

Requests him to intimate in what stage the case now is.

From The Dt. Magte. Lugsar Dt. C. 145-Judl. 4 16-17 dt. 19.7.16

States that summonses were issued to the two persons to appear before Lala Boring J.P. and the records were transferred to that officer on 31st May 1916.

17) Subd. with a draft to the D.M.

Sunt

Kolar.
B.H.
22.7.16.

18) Done 24/7

NOTE—Contn. sheet.

GPB—70,000—17-12-15

G. R. S. 12]

General and Revenue Secretariat. | Pol File No. 196 of 191 5.

Serial No.	
8	To The D. M. Kolar. No. J 319 25th July 1916. Enquires in what stage the cases instituted against Mr Stanley and others for assault and trespass now are.
9	From The D. M. Kolar. No. Ref H.C. 275 dt 9.8.16. States that the question of compounding the cases is pending with the Conservator of Forests. 19) Subd. for orders.
B.S. 14.8.16.	20) Please ascertain from Board I if this case has come up for orders of Govt: if so, what orders have been passed. Es 15/8
Bor I)	21) Subs. Bor I has no information on the point. Bor III) 15/8/16 Sen 15/8/16
B.S. 16.8.16. 9291.	22) Subd. Apparently from the last sentence in the letter of the Conservator, he expects the Government will not approve of his withdrawing the case, and communicate their views in the matter.
	23) Submitted for orders Es/16/8 Second Member)

1892
16.8

NOTE—Contn. sheet.

GPB—70,000—17-12-15

(16)

G. R. S. 12]

General and Revenue Secretariat. | For File No. 196 of 1915-16

Serial No.

24) So far as the complaint of ... his pass is concerned, it may be allowed to be withdrawn. In the case of assault, the complainant is Mudgal, but an individual who happened at the time to be Sanc Superior; as I suppose he must agree to the complaint in this respect being compounded, if he does, then I see no objection in this respect either.

25) The Conservator has not, I believe, offered any opinion as regards the return of the notes to Mr Jenkins: please get his opinion on this point & also to avoid further delay.

26) Draft as, be put up for approval.

Pol 13/10

Draft W/C Draft Esq 22

27) Subd. with two drafts

B.T. 20.8.16 21 Secy.

28) Second Member

Esq D. I wd/6 Secy W/C

29) Issue Esq D

6246 / 21.8

NOTE—Contn. sheet.

C.P.W. 70,000—17-12-15.

q 473

(7

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 196 of 1915-16

Serial No.

10 To
The Conservator of Forests. No. J769 Dt 24.8.16.
States that the complaint of trespass may be withdrawn and that in the case of assault the Game Supervisor who is the complainant must agree to the complaint being compounded.

11 To Mr. M. G. Rama Rao Bn., Conservator of Forests.
Do. No. J770 Dt 24.8.16
Calls for his opinion re the return of the bison's head to Mr. Jenkins.

12 From Mr. G. Rama Rao. Do. No. 2200 Dt 25.8.16
States that he is not for returning the bison's head to Mr. Jenkins as such a course would fail to have any deterrent effect.

30) Subd. for orders.

B.G.
26.8.16.

31) The trophy belongs to Government under the law and cannot be returned. The bison is a wild animal and as such is included in the definition of "forest produce" in the Forest Regulation [S. 2 (5)(b)(iii)]. Reading Sections 45, and 76 of the Forest Regulation, together, it appears clear that the Seizure of the head by the Forest official was perfectly legal and that the head cannot be returned the offenders. The Court does not appear to have any jurisdiction in such cases.

Second Member

2127.
4.9.16

NOTE—Contn. sheet.

GPB—70,000—17-12-15

1473

(8

G. R. S. 12]

General and Revenue Secretariat. | Police File No. 196 of 1915-16

Serial No.

32) All this is not quite relevant. The question raised by Mr Jenkins' prayer for the return of the trophy is the desirability of first returning it, and not the legality of its return by the Court.

33) Since the Forest Conservator is opposed to granting the request, it need not, I think, be complied with.

34) Ascertain the final result of the case (whether all the charges have been withdrawn or compounded) & then submit for the information of the Division.

5/9/16

5/9/16

35) Draft & Ur

36) Draft subd.

BS. 6-9-16 UR

Inner & Pt.

Sus. A 5/9

13 To The conservator of forests no 9473 8-9-1916

Request him to intimate whether all the charges against Mr Jenkins and Dr Freeman have been withdrawn

14 From The Conservator of Forests. no. 3399/87 29-9-16.

States that the charge of trespass has been stated to be withdrawn, that as regards

NOTE—Contn. sheet

GPB—70,000—17-12-15

(9

G. R. S. 12]

General and Revenue Secretariat.

Police File No. 196 of 191 5-16

Serial No.

assault it is believed that the accused should take the initiative in compromising the offence, that Mr. Bowring has been written to as to how the matter stands and that a further communication will be sent on receipt of a reply from him.

NOTE—Contn. sheet

GPE—70,000—17.12.15

G. R. S. 12]

General and Revenue Secretariat.

Police File No. 196 of 1915-16

Serial No.	
15	From The Conservator of Forests no 5720 Dt 8/9.12.16 States that as Mr. Jackson & Dr. Freeman were not willing to compound the case of assault the Asst. Supdt. Kolar, has charged them under 353 of the I.P.C and the case stands adjourned to 20.1.17 and requests that the Prosecuting Inspector Kolar may be directed to conduct the prosecution. Subd. with a Draft to the D.S.P. 16.12.16.
	Draft to Regd. Es 14/12
	In favour of approval Es 14/12
	Second Member 22/12
	Draft approved by the 2nd Member. 22/12
16	To the D.S.P. Kolar no 22930 26th Dec 1916 Requests him to be so good as to depute a competent Police Officer to conduct the prosecution in the case.
17	To the F.A. Resident, no Pd 646 Dt 26.12.16 Invite attn. the occurrence promises to visit on the 27th & 28th

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2

General and Revenue Secretariat.

Police File No. 196 of 1915-16

Serial No.	
18	To The D.C. Nasik. Kolar. no. J3257 dt 7-3-17 Calls for the required information as also a copy of the order passed in the case.
19	From The D. M. Kolar. no. D. Dis 1158 dt 9-3-17 Furnishes the required information as also a copy of the court order in the case. Subd. R.T. 10-3-17
	Submitted Subd. May this file be now returned the Police Sec: as the question has not been selected 19/3/17
20	From The J. S. P. no. 4290/409 dt 17/20-3-17 Forwards for information a copy of the judgment in the case. Subd. With reference to paras 16-17 of the judgment attention is invited to paras 1-4 of letter no. 706 dt 16/17-6-16 from the Officer in charge of the Game Preserves to the Conservator of Forests in Mysore. R.T. 24-3-17 30

NOTE—Contn. sheet.

G. R. S. 12]

2067 (12

General and Revenue Secretariat. | Police File No. 196 of 1915-16

Serial No.

Submitted for favour of perusal.
EB
2/4

Excellency
Member

An extract of para 15 of Mr. Bowring's judgment may be sent to the Deputy Commissioner, Mysore District, for information, and he may be asked to see that delay, if any, in issuing - - licenses is avoided.

10.4.17

Draft
EB 11/4

Draft subd. The Residency has to be informed of the result of the trial. Please see para 2 of st. no. 17. So a draft to the Residency is also put up.

BG. 12.4.17

BG. 12.4.17

EB 11/4

21 To The D.C. Mysore Dt.

No J 3463 28th April 1917

Forwarded for information an extract from the Judgement of Mr P.F. Bowring J.P. in the case

NOTE—Contn. sheet.

P-3 0

GPB—70,000—17-12-15

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

(13

General and Revenue Secretariat. | Pol File No. 196 of 1915.

Serial No.	
~~122~~	
22	To The J. A. Resident no Pol 1055 20th Sept 1917 States that Mr P. F. Bowring J.P who tried the case discharged the accused under Sec: 253 of the Criminal Procedure Code

NOTE—Contn. sheet.

PHH 741 (14

No. 4111/2

OFFICE OF THE PRIVATE SECRETARY TO
H. H. THE MAHARAJA OF MYSORE,

Mysore, DATED , 10th May 1916

J 2988

P.L 1315(A-30)

file no 196-15
pr. no. 1

The accompanying telegram and memorial from Mr. Stanley E. Jenkins of Oorgaum, K.G.F. regarding the shooting of a bison in the Chamarajanagar Game Preserve are forwarded with compliments to the Dewan of Mysore, Bangalore, for favour of disposal.

By Order.

For Private Secretary.

Secretary

In person if necessary action.
Matter after disposal may be
explained to me in person

12.5.16

Br III
Ext 1375/16
Mem
Ends 1375
Ss 1375/16

(15

-2.9.16.

C. INDIAN TELEGRAPHS.

NOTICE.

This form must accompany any inquiry made respecting this Telegram.

Office Stamp

Rs. As.

10 MAY. 1916

995

Handed in at (Office of Origin).	Date	Hour.	Minute.		Words.
MYSORE	30	16/55		X	40

TO

Recd. here at 17/ 15 H. M.

MIRZA S ISMAIL ESQ. PRIVATE SECY TO H.H. MAHARAJAH OF MYSORE

OOTY. FERNHILL NILGIRIS

REGRET THROUGH IGNORANCE HAVE SHOT ONE BISON CHAMRAJNAGAR

GAME PRESERVE ON THE 28TH. WRITING FULL PARTICULARS

STANLY E JENKINS OF OORGAUM KOLAR GOLD FIELDS

S.L. S.H.H

Rec

Dm

1.5.16

N.B.—The name of the Sender, if telegraphed, is written after the text.

Tulab Singh & Sons, Calcutta—No. 21 Tel.—14-5-14—50,000.

G. R. S. 26]

SUBJECT.....

.....

.....

*Diary No. of letter replied to*__ ____

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue__ 23. 5. 1916.

Signed by Mr. N. Madhava Rao

*(to be returned with the reply)

Section Police

File No. 196-15

Serial No. 2

No. 9466/Gen: Memorial-

To

_____

The accompanying memorial dated the 15th May 1916 was received from one Mr. Stanley E. Jenkins of K.G.F. requesting the showing of a lion in the Chamarajendra Town Bazaar is forwarded to the Commandant Mysore with compliments, for favour of a very early Report.

By Order

for Secy to Govt.

Gl. Dept.

B.S.
13-5-16

196/15

Urgent

17

Rev. Forests

OFFICE OF THE CONSERVATOR OF FORESTS IN MYSORE

No. 13065 *Bangalore, dated* 28. 6. 1916.

III 29/6

Enclosures 1

DIARY No. J. 3248

SECTION Pol

FILE No. 196-15

3

From

M. G. Rama Rao, Esq., B.A.,

Conservator of Forests in Mysore.

To

....., ... D. M. Narasinga Rao Esq., Esq., B.L.,

Secretary to the Government of
H. H. the Maharaja of Mysore,
General and Revenue Departments.

SIR,

With reference to the correspondence resting with your Reminder No. J.4844 dated the 10th. instant, I have the honour to forward herewith copy of letter No. 706 dated the 16th. June 1916, from the Officer in Charge of Game Preserves in Mysore reporting upon the points raised in the memorial of Mr. S.E. Jenkins regarding the shooting of a Bison in the Chamarajanagar Game Preserves.

2. From the report of the Game Preserves Officer, it will be seen that Messrs. Theobald Brothers of Mysore had arranged for the shooting trip and, if they had warned him, Mr. Jenkins would probably not have trespassed. From all accounts, I learn that Mr. Jenkins is a man of good standing and would not have shot the Bison, had he known that the Forest was a Game Preserve.

3. Game Supervisor Ranganatha Rao has already lodged a complaint against Messrs. Jenkins and Dr. Freeman for trespass into the Game Preserve and for assault. Since Mr. Jenkins has admitted the first charge and says that he committed the

WD 0571—GPB—600—28-2-16

118

the offence through ignorance and apologised for the same, I am of opinion that the charge of trespass may be withdrawn and the case compounded.

4. The memorial is herewith returned.

I have the honour to be,

Sir,

Your most obedient servant,

Conservator of Forests.

Y.V.R.

FOREST DEPARTMENT.

From

The Conservator of Forests
in Mysore.

To

The Secretary to the Government
of H. H. the Maharaja of Mysore,
General and Revenue Departments.

No.

Dated

Despatched

Enclosures.

SUBJECT.

Copy of letter No. 705 dated the 16th./17th. June 1916 from the Officer in Charge of Game Preserves in Mysore to the Conservator of Forests in Mysore. (19

Encl 3

.....

In reply to your docket No. 12375 dated the 8th. instant, directing me to report on the points raised in the memorial forwarded therewith, dated the 1st. instant, from Mr. Stanley E.Jenkins of the Kolar Gold Fields with regard to the shooting of a Bison in the Chamarajanagar Game Preserve, I have the honour to state that Mr. Jenkins does not pay regard to the initial blunder of Dr. Freeman and himself. They should not have entered a government forest to secure game either on their own accord or at the instance of any unauthorised and irresponsible party without obtaining previously a game license to do so. Mr. Jenkins says that they had applied for a license. He should have waited and secured it in spite of any inconvenience before going into camp for shooting. If he had done so, he might have understood from the license that it did not cover the Chamarajanagar State Forest as it would have been stated expressly so, therein. Thus there would have been no need for his qualified apology.

2. The tone of Mr. Jenkins apology casts reflections on the Forest staff. He cannot expect them at his camp at Hondrabal High road to give him notice, their sphere of work being specially confined to the State Forest in the places allotted to them.

3. All the particulars of the Game Preserves have been notified in the Mysore Government Gazette, then and there. Copies of Game Rules and Regulation and the Provincial Forest Map showing the Game Preserves are also available for sale. Mr. Jenkins should have cared to know these details before he went out for shooting. He should have applied for reliable information in the right place. Further, if he had only secured his game license beforehand, he might have tried and ascertained the tract that had been excluded from it. Then

Then he would not have erred and fallen back on the plea that there were no notice boards in the Forest or in the Forest Bangalow at Gudihatty to guide him.

4. It shifts also the responsibility of their mistake on Messrs. Theobald Brothers of Mysore, who, Mr. Jenkins states, arranged for their shoot in the Chamarajanagar State Forest, sending out shikaries, tents etc., and recommended them to try Anchevadi, Hondrabal and Bellatha for game, and applied for the required license on their behalf. Messrs. Theobald Brothers are themselves sportsmen and they take out game license every year, and the fact that the Chamarajanagar State Forest is a Game Preserve would not have escaped their notice. I cannot therefore, allow myself to believe that they did not warn Dr. Freeman, Mr. Jenkins or their shikaries not to enter the Chamarajanagar State Forest for sport, when they sent them into camp without the necessary game license which they ex--pected to get later on. I cannot also imagine that the local shikary as selected by Mr. Theobald and thereon engaged by Mr. Jenkins, would have misled and taken him into the State Forest as even the village cowherd there knows that the Chamarajanagar State Forest which has a distinct cleared demarcation line of 66' width, is a State Game Preserve and all shooting is prohibited.

5. In this connection, I should like to bring to your kind notice that Game Supervisor V. Ranganatha Rao of Chamara--janagar reports that Mr. Jenkins quietly handed over the Bison head to him when he demanded it from him. The following day, Mr. Jenkins, on receipt of his game license reclaimed the head from the Game Supervisor and when he refused to give it back, Mr. Jenkins used all force and assaulted the Game Supervisor and threatened him to reconsider his action and said that it would entail the loss of his appointment, if he

121

he did not restore the Bison head to him. If such instances, as above are let off unnoticed, it may be kindly imagined what would be the lot of our poor subordinates who are re--quired to patrol on Government duty into the interior of the Forests lonely unaccompanied by any body.

6. I beg to inform you in conclusion that a complaint has been preferred by Game Supervisor Ranganatha Rao against Messrs. Jenkins and Dr. Freeman for trespass into the Game Preserves and for assault, in the District Magistrate's Court Mysore.

.....

Conservator of Forests.

Y.V.R.

X 12.2.

Police

G. R. S. 26] 117

File No. 196-15

Serial No. 4

Diary No. of letter replied to .....

No. 728

General and Revenue Secretariat

( )

, *the* 191 .

To

The Conservator of Forests

in Impse

Date of issue 4. 7. 1916.

Signed by. Mr. G. Sreenivasa Iyer

With reference to his

letter no. 13065 dt 28.6.16 ~~from~~

regarding the shooting of a bison

by Mr. Jenkins in the Chamaraj

-nagar Game Preserves has the

honor to request that the

memorial of Mr. Jenkins forward-

-ed with this office docket no.

J 4606-Police 196-15-2 dt 23.5.16

may be returned very early.

By Order.

over.

SUBJECT.

30/6 for Secy to Govt. Gl. Depts.

35.
30.6.16.

(23

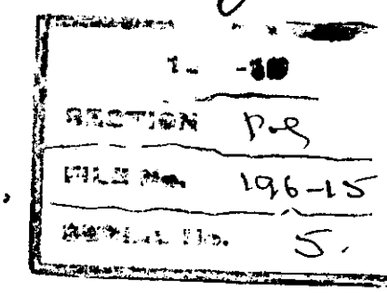
Rev. Forests

OFFICE OF THE CONSERVATOR OF FORESTS IN MYSORE

No. 313 *Bangalore, dated* 11th July 1916.

DIARY No. J 81

Enclosures



From

M. G. Rama Rao Esquire, B. A.,

Conservator of Forests in Mysore.

To

D. V. Narasinga Rao B.A., B.L.,

.....Esq.,

Secretary to the Government of
H. H. the Maharaja of Mysore,
General ~~and Revenue~~ Departments.

Sir,

As desired in your docket No. J. 28/Police. 196-15-4 dated the 4th instant, I have the honour to return herewith the memorial of Mr. Jenkins, forwarded with your docket No. J.4606/ Police 196-15-2 dated 27rd May 1916.

I have the honour to be,

Sir,

Your most obedient servant,

Conservator of Forests.

WD 0574—GPB—600—28-2-16

Gorgaum

Refer to H.H.
9m
2/5

J.

Camp Field.
9th May. 1916

OFFICE OF THE PRIVATE SECRETARY
10 MAY. 1916
995
TO H. H. THE MAHARAJA OF MYSORE

Mirza S. Ismail Esqr:
Private Secretary
to
H. H. Maharaja of Mysore.

To be forwarded for Orders if approved & under intimation to me
9m
6/5

Dear Sir,

With reference to my telegram of yesterday which read as follows
Regret through ignorance have shot one bison Chamarajnagar Game Preserve on the 28th inst - writing full particulars -

I have the honor to place before you the following details for your kind consideration :-

Mr. Theobald of Mysore arranged the shoot for Mr. Iraman & myself, sending out shikaries &c, and recommended us to beat Amchwadi, Hondarbal, Bellatha for spotted deer & any other game we came across - He also applied for our licenses on the 15th inst - but they were not sent to

him until the 26th, after we had gone to camp - nor therefor were unable to show our licenses when they were asked for on the morning of the 29th, but as soon as possible wired from Chamrajnagar for them + they came the same evening.

We had been in camp 4 days at Hondarbal near the main road, but had seen no forest officer or guards at all, + had no idea that the hills facing us were a Game preserve, consequently when the local shikaris suggested we should spend the night at Gudyhutty bungalow, work down to our camp in the morning, we thought it a good idea, and did so.

There was no notice in the Gudyhutty bungalow - neither did we see any noticeboard in the forest to say the ground was a preserve, and were fully under the impression

that our licensed covered all the ground in the Chamjnagar district.

It was on the way down from Sidyhully that I saw - and shot the lion - and was very surprised the next morning when the Game Preserve Officer from Nagalie, turned up at our camp and took possession of the head. - We at once broke up camp and waited for W Theobald - but he never turned up - so we decided to send the licensed ~~down~~ one went back to Nagalie to interview the Game Preserve Officer & head to obtain the head but of course he refused to hand it over - so we had to return to Mysore & I envied you ...

I greatly regret, and apologise for this mistake, made entirely in ignorance of the ground - had we intended to be ~~un~~ underhanded in anyway, we would not have sent our

left by road to Gudyhutty - nor would we have entered our names in the Visitors book at that bungalow — .
I hope therefor His Highness - the Maharaja of Mysore - will be kind enough to overlook the offence, and order the head to be returned to me at it is of very first biophy - and while of no pecuniary value to the Government it is of value to me — .
I would beg to impress upon you - the fact that altho' in Camp - for 4 days - we saw no officer or guard to whom we could refer - nor as I say, were there any notices to warn us that we were near a Game Reserve ; this, the fact that Mr Theobald had recommended Handarbal as a camping ground, led us to understand that our license covered all forests. meeting you will see the matter in the same light - and again apologising for the mistake made. — I have the honor to be, Sir
Your obedient servant
Stanley. E. Jenkins.

G.R.S. 26]

1417 Mysr

(25 Police

File No. 196-15

Serial No. 6

Diary No. of letter replied to 81

No. 9257

General and Revenue Secretariat

( )

, the 19 .

To

The Dt. Magte. Mysore Dt.

Sir

Date of issue 17.4.1916

I am directed to state

Signed by Mr. G. Sreenivasa Iyer

that it is reported that a criminal

proceedings have instituted

~~Complaints have~~ been lodged before

you by Game Supervisor Ranga-

-natha Rao of the Chamarajnagar

Game Reserve against Mr. Stanley

E. Jenkins and Dr Freeman of the

K.F.T. for trespass into the

Game Reserve & for assault

and to request you will be so good

as to intimate the result steps

taken

over.

SUBJECT.

9/4/17

(26

The case now is

Re matter I have &c.

For Secy to Govt.

14-7-16.

List of enclosures,

Copied by

Examined by

GPB—10,000—28-2-11.

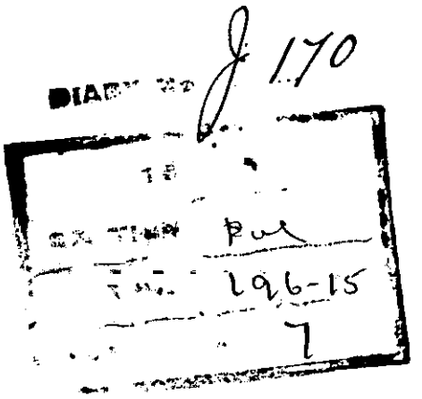
C No. 145 /16- / Office of the District Magistrate, Mysore District,

Dated, Mysore, 19th July 1916

(21

From

K.Matthan, Esquire., B.A.,
District Magistrate,
Mysore District.



To

D.V.Narasinga Rao, Esquire., B.A., B.L.,
Secretary to the Government of His
Highness the Maharaja of Mysore,
G E N E R A L DEPARTMENT
B A N G A L O R E.

SIR,

In reply to your letter No.J. 257 Police. 196-15-6 dated the 17th instant, calling for information as to the stage at which the Criminal Proceedings instituted before this Court by Game Supervisor Ranganatha Rao of the Chamarajanagar Game Preserve against Mr. Stanley E.Jenkins and Dr. Freeman of the Kolar Gold Fields, are at present, I have the honor to state that as the gentlemen referred to were European British Subjects, summonses were issued to them to appear before the Justice of the Peace (Mr. P.F.Bowring, District Magistrate of Kolar) and the records were forwarded to that Officer with this Office letter No.-10038 dated 31st May 1916.

I have the honour to be,
Sir,
Your most obedient Servant,

DISTRICT MAGISTRATE
MYSORE DISTT:

SVS

GPB—50,000—17-9-15

III. 21/7/19

From

THE DISTRICT MAGISTRATE
MYSORE DISTRICT.

To

THE GENERAL SECRETARY TO THE GOVERN-
-MENT OF MYSORE, BANGALORE.

Dated 19th July 1916

Despatched

Received

General No. C No 1145 Genl Y. 16-17
No.

Enclosure No.

Reporting that the cases instituted in this Court by Game Supervisor Ranganatha Rao of Chamarajanagar against Mr. Jenkins and Dr. Freeman of the Kolar Gold Fields were sent to the Court of the Justice of the Peace Mr P.F.Bowring as the accused were European British Subjects.

G. R. S. 26]

SUBJECT.....

.....

.....

*Diary No. of letter replied to*____

Section Police

File No. 196-15

Serial No. 8

General and Revenue Secretariat

( )

, *the* 191 .

No. J 319

Date of issue 25. 7. 1916

Signed by Mr. C. Sreenivasa Iyer

To

The Hl. Inspr. Kolar Dt.

Sir,

I am directed to state that it is reported that in the case of assault and trespass instituted ypinst Messrs Stanley E. Jenkins and Dr. Freeman of the K.G.F. by Game Supervisor Ranganatha Rao of the Chamarajanagar Game Reserve was transferred (on 31.5.16) to you as Justice of the Peace I am therefore directed to request you to be so good as

over.

889
12/17

Qq

to intimate the stage at which the case now is.

I have &c.
(Sd) W
for Secy to Govt.
Ex Dept.

86
22-7-16

List of enclosures.

Copied by

Examined by

GPI—20,000—14-2-14

130

District Magistrate's office,

Kolar District,

Dated Kolar, the 9th August 1916.

DIARY No. J. 367

10 -10
Police
196-15
9

From

P. F. B O W R I N G, Esquire, J.P.,

District Magistrate, Kolar District.

To

D. M. Narasinga Rao, Esquire, B.A, B.L.,

Secretary to the Government of Mysore,

General Department, Bangalore.

Sir,

With reference to your letter No.J.319/Police. 196-15-8 dated 25th July last, enquiring in what stage the cases instituted against Mr. Stanley E Jenkins and Dr. Freeman for assault and trespass now are, I have the honor to state, in reply, that the question of compounding the cases is pending with the Conservator of Forests.

I have the honor to be,

Sir,

Your most obedient servant,

P. F. Bowring

District Magistrate,
Kolar District.

AUG 1916

GPB—50,000—17-9-15

19

From

The District Magistrate,
Kolar District.

To

The Secretary to the Government
of Mysore, Genl. Dept.,
Bangalore.

Dated 9th August 1916.

Despatched

Received

General No. By H.C. 275.
No.

Enclosure No.

Intimating the stage at which the cases instituted against Messrs Stanley E. Jenkins & Dr Freeman now are

24/2

28.8.16

(31

G. R. S. 26]

Police
File No. 196-15
Serial No. 10

Diary No. of letter replied to .....

No. 9769.

General and Revenue Secretariat
( )
, *the* 191 .

To

The Conservator of Forests in Jaffna

Sir,

With reference to the correspondence ending with your letter No. 313 dated the 11th July 1916 regarding the complaints of trespass and assault lodged by Game Supervisor Rasanayagam Rao of the Chavakachcheri Game Reserve against Messrs Jenkins & Dr. Beaman of the K.G.T. I am directed to state that ~~as regards~~ the complaint of trespass ~~is recommended~~ may

over.

Date of issue 24.8.1916.

Signed by Mr. C. Sreeniwasa Rao

d no 5

SUBJECT.

28/8/16

be withdrawn. In the case of assault, however, as the complainant is not Govt. but an individual who happened at the time to be Govt. Supervisor, at the time he must appear to the complaint in this respect being compounded.

Thanks &c.

Sd/ [illegible]
Spl Secy. to Govt.
Pol. Dept.

BS.
20.8.16.
Secy
20/8

List of enclosures

Copied by

Examined by

GPB--20,000—10-10-14

(33

G. R. S. 26]

2 Drafts

Police

File No. 196-15

Serial No. 11

Diary No. of letter replied to .....

Draft D.O.

No. 9770.

General and Revenue Secretariat

( )

, *the* 191 .

~~To~~

Dear .

——— Reimbursing of a loan by Mr. Jenkins of the K. G. F. to the Chamarajanagar Game Preserve.

Date of issue 24.8.1916.

Signed by Mr. G. Sreenivasa Rao

I am directed to request you to be so good as to favour at an early date with your opinion regarding the refund of the loan lent to Mr. Jenkins, who, you may remember, has asked for the same.

Yours Sincerely

To

M. Z. Rama Rao Esqr. B.A.

Conservator of Forests over Imperx Bangalore.

SUBJECT.

B.F. 20.8.16

459/2446

(34

J 473
File no. 19615
81 no. 12

In Co
25/8/16

MYSORE

Conservator's Office,

No: 2200. Dated, Bangalore the 25th August 1916.

Dear Sir,

With reference to your D. O. letter No. J - 770/Police. 196-15-11, dated the 24th instant, I have to state that Mr. Jenkins wanted to secure a bison's head as a trophy, and in trying to attain his object, he went out of his way in trespassing into a Game - preserve. Government were graciously pleased to order the withdrawal of the charge of trespass and, Mr. Jenkins should consider himself particularly lucky in having been let off so easily. I would not recommend the return of the bison's head to him, as such a course, I am afraid, would fail to have any deterrent effect upon a repetition of such acts in future.

Yours sincerely,

Srinivasa Iyer

G. Srinivasa Iyer Esquire,
Assistant Secretary.

1/9

†

185

Police

G. R. S. 26]

File No. 196-15

Serial No. 13

Diary No. of letter replied to .....

No. 9973.

General and Revenue Secretariat

( )

, the *191* .

To

The Conservator of Forests

Mysore

Date of issue 8.9.1916.

Sir,

Signed by Mr. G. Srinivasa Iyer

I am directed to invite your attention to ~~this office~~ the correspondence ending with this Office letter no. J769-Police 196-15-10 dated the 24th August 1916 regarding the shooting of a bison (in the Chamarajanagar Jungle Beat) by Mr Jenkins of the K.F.S. and to request you to be so good as to intimate whether all the charges against Mr. Jenkins & Dr Freeman

over.

SUBJECT.

361

have been withdrawn.

I have f. c.

for secy to Govt

89.

6.9.16.

List of enclosures

DE

Copied by

Examined by

GPB—20,000—10-10-14

137

W.D. 0575—GPB—500—25 2-16

Rev. Forests]

OFFICE OF THE CONSERVATOR OF FORESTS IN MYSORE.

No. 3399 *Bangalore, dated* 29/9/ *1916.*

Enclosures /

DIARY No. J 750

16 17
Police
196-15-
14

From

M.G. Rama Rao, Esquire, B.A.,
Conservator of Forests in Mysore.

To

D.M. Narasinga Rao, Esquire, B.A., B.L.,
Secretary to the Govt of Mysore,
General Department.

SIR,

With reference to your letter No J.769/Police 196-15-10 dated the 24th August last, I have the honour to submit herewith for the information of Government copy of docket No 203 dated the 11th instant, from the Officer in charge of Game Preserves stating that Game Supervisor Ranganatha Rao has been directed to withdraw the charge of trespass. As regards assault, I believe the accused should take the initiative for compounding the offence and I have requested Mr Bowring to kindly inform me as to how the matter stands at present. On receipt of this information from him, the same will be communicated to Government.

I have the Honour to be,
Sir,
Your most obedient servant,

Conservator of Forests.

Encl 6/14 (38

Copy of docket No. 203 dated the 11th September 1916, from the Officer in charge of Game Preserves in Mysore, to the Conservator of Forests in Mysore:

::::::::::

With reference to his No. 2302 dated the 28th August 1916, forwarding for needful action copy of letter No. 769/Police dated the 24th August 1916 from the General Secretary to the Government of Mysore, regarding the complaints of trespass and assault lodged by Game Supervisor Ranganatha Rao against Mr. Jenkins and Dr. Freeman of the Kolar Gold Fields, has the honour to inform the Conservator of Forests that the Game Supervisor has been directed to withdraw the case of trespass and report the fact to this office. Instructions are solicited as to how the Game - Supervisor should act in the case of assault under Section 353 of the Indian Penal Code, which is not a compoundable one.

.....

MN.

For Conservator of Forests in Mysore.

39

Rev. Forests

OFFICE OF THE CONSERVATOR OF FORESTS IN MYSORE,

No. 5920 *Bangalore, dated* 8th December *191* 6

Enclosures 1

DIARY No. J 1249

From

M. G. Rama Rao, Esquire, B.A.,

Conservator of Forests in Mysore.

To

.....D.....M.....N..a..r..a..s..i..n..g..a..R..a..dEsq., B.A., B.L.,
Secretary to the Government of
H. H. the Maharaja of Mysore,
General Departments.

SIR,

In continuation of my letter No. 3399 dated the 29th September 1916, I have the honour to submit herewith, for the information of Government, copy of letter No. 352 dated the 7th instant, from the Officer in charge of Game Preserves in Mysore, stating that as Messrs. Jenkins and Freeman were not willing to compound the case of assault against the Game Supervisor, notwithstanding the representation of the latter that he was prepared for a compromise in terms of your letter No. J 973/Police 19b -15-13 dated the 8th September last, the District Magistrate, Kolar, has charged the gentlemen under Section 353 of the Indian Penal Code, "Assault on a Government Servant on Duty", posting the case for 30th January next. - Copies of reports from the Game Supervisor together with those of their enclosures regarding the case are also submitted for favour of perusal.

2. I request that Government may be pleased to issue instructions to the District Superintendent of Police, Kolar, for deputing his Prosecuting Inspector to conduct the case on behalf of the Prosecution under the circumstances.

I have the honour to be,

Sir,

Your most obedient servant,

M.N.

Conservator of Forests.

Forests 15

141

Copy of letter No. 352 dated the 7th December 1916 from the Game Preserves Officer, Bangalore, to the Conservator of Forests in Mysore.

With reference to your No. 5181 dated the 24th November 1916 informing me that you think that there is no necessity of reopening the question of Assault on Game Supervisor V. Ranganatha Rao of Chamrajanagar by Messrs. Jenkins and Freeman of the Kolar Gold Fields, I have the honour to state that I am constrained to bring to your benign notice again that notwithstanding the reply of the Game Supervisor to the Kolar District Magistrate's reference to him (copies already submitted for kind perusal with this office No. 333 dated the 27th September 1916) that he (Game Supervisor) is not willing to proceed with the case of assault against the gentlemen if they are agreeable to a compromise as per Government Order No. conveyed in No. J. 973/Police 196-115-13 dated the 8th September 1916 from the Secretary to the Government, General Department, the District Magistrate, Kolar, issued a notice to the Game Supervisor to deposit Process Fees in his Court to summon the gentlemen and the Prosecution Witnesses before his Court for enquiry as it would appear that the gentlemen were not for a compromise. Accordingly the Game Supervisor appeared before the District Magistrate on the 20th November 1916.

2. He represented his case before the District Magistrate and gave his statement in writing as directed and even told the Magistrate that he was prepared to compound with the gentlemen if they desire for a compromise. The District Magistrate, however, charged the gentlemen under Section 353 of the Indian Penal Code "Assault on a ~~Public~~ Government Servant on Duty" as per Game Supervisor's original complaint and issued summonses to the gentlemen

(42

and the Prosecuting witnesses at Government cost to appear before his Court for enquiry on the 1st December 1916 intimating the fact to the Game Supervisor.

3. The two gentlemen, the Game Supervisor and one of the Prosecution witnesses appeared on the 1st December 1916 before the Magistrate as per orders; but the case stands adjourned to the 20th January 1917 as two of the Prosecution witnesses did not turn up, the Summonses having not been served on them.

4. I understand also from the report of the Game Supertisor that the two gentlemen have engaged the services of a Lawyer of the Kolar Gold Fields to contest their case and they are not for a compromise. In the above circumstances, I request you to kindly instruct the District Superintendent of Police, Kolar, to depute his Prosecuting Inspector to conduct the case on the Prosecution side as it would not be justifiable to leave unprotected a Government Servant who has been discharging and discharged his duties honestly in the interest of Public Service and got assaulted.

I submit herewith also Report No. 94 dated the 3rd December 1916 of the Game Supervisor in original(to be kindly returned after perusal) and solicit your early orders in the matter for intimation to the Game Supervisor as the case is posted to the 20th January 1917 for enquiry.

M.N.

Conservator of Forests.

Copy of letter No. J.769/Police, 196-15-10, dated the 24th August 1916, from the General Secretary to the Government of Mysore to the Condervator of Forests in Mysore.

With reference to the correspondence ending with your letter No. 313, dated the 11th July 1916 regarding the complaint of assault and trespass lodged by Game Supervisor Ranganatha Rao of the Chamarajanagar Game Preserves against Mr. Jenkins and Dr. Freeman of the Kolar Gold Fields, I am directed to state t hat the complaint of trespass may be withdrawn. In the case of assault, however, as the complainant is not Government but an individual who happened at the time to be Game Supervisor, he must agree to the complaint in this respect being compounded.

(Signed). M.G. Rama Rao,
Conservator of Forests in Mysore.

No. 192 Dated Kolar, 2nd September 1916.

Copy of the above is forwarded to V. Ranganatha Rao, Game Supervisor, Chamarajanagar Game Preserve for information.

He should intimate at an early date whether he is going to press the case against Messrs. Jenkins and Freeman of the Kolar Gold Fields for offences of assault and insult under sections 352 and 504 , I.P.C.

(Signed). R.F.Bowring,
District Magistrate
Kolar District.

No. 52, dated 22-9-16.

Submitted to the Officer in charge of Game preserves in Mysore together with copy of the undersigned's No.50, dated the 17th/18th September 1916 to the District Magistrate,

Kolar for his kind information.

22-9-16. (signed). V. Ranganatha Rao,
Game Supervisor, Chamarajanagar.

Copy of report No.50, dated the 17th/18th September 1916, from V. Ranganatha Rao, Game Supervisor, Chamarajanagar, to the District Magistrate, Kolar.

In obedience to your No.192, dated the 2nd September 1916, I humbly beg to state that if Mr. S.E.Jenkins and Dr.E.T.Freeman of the Kolar Gold Fields are willing to compromise, I have no intention of pressing the case of assault pending in your court against them.

Copy of report No.53, dated the 22nd September 1916 from Game Supervisor Ranganatha Rao to the Officer in charge of Game Preserves in Mysore.

I beg to submit that with reference to your No.201, dated the 9th September 1916, I proceeded to Kolar on the 16th September 1916 and presented my application(copy herwith submitted for your kind perusal), for the withdrawal of the case of Trespass against Messrs. Jenkins and Freeman of the Kolar Fields to the District Magistrate, Kolar. As the District Magistrate was on tour and was expected on the 24th, I was asked to go over to kolar that day and I am proceeding there to know the orders of the District Magistrate.

Copy of No.47, dated the 16th September 1916, from Game Supervisor Ranganatha Rao to the District Magistrate and the Justice of Peace, Kolar District.

145

I beg to state that I have been directed by the Officer in charge of Game Preservee in Mysore under orders from the General Secretary to the Government of Mysore (Copy of the order herewith submitted for your kind perusal), to withdraw the case of Trespass into the Royal Game Preserves of Chamarajanagar against Messrs. Stanley A.Jenkins and E.T Freeman of the Kolar Gold Fields pending in your court. I request you, therefore, to kindly permit me to withdraw the case of Trespass against the abov e named two gentlemen.

Officer in charge of Mysore Game Preser

G. R. S. 26] 1st 2nd

Police
File No. 196-15
Serial No. 16

Diary No. of letter replied to .....

No. f 2293.

General and Revenue Secretariat
( )
, *the* — *191* .

To
The I. G. of Police in Jaffna.

Sir,

Date of issue 26/12/16

Signed by M. G. Saravana
for

I am directed to state that Mr. Stanley E. Jenkins and another Mr. Freeman of the K.S.T. have been charged by Mr. P.E. Bowring J.P., Kolar, for an offence under section 353 of the Penal Code and the case has been posted to the 20th January 1917. I am therefore to request you to be so good as to depute a competent police officer to

over.

SUBJECT.

67

conducted the prosecution in the case.

I have &c.

Sd 14/12

for Secy. to Govt.

El. Dept.

No. J 2294

Copy to the Conservator of Forests in Mysore with reference to his letter no. 5720 dtd 2/12/16.

By Order

Sd 14/12/16

for Secy to Govt:

El. Dept.

BG
14.12.16.

List of enclosures

Copied by

Examined by

GPB—20,00—10-10-14

48

Police

G. R. S. 26]

File No. 196-15

Serial No. 17

Diary No. of letter replied to .....

No. PR 646

General and Revenue Secretariat

( )

, the *191* .

To

The A.-A. Resident

Sir,

Date of issue 26/12/16

Signed by. M. D. Narasimha Rao

I am directed to state that on the 28th May 1916 one Mr. Stanley E. Jenkins and another Mr. Freeman of the K.G.F. trespassed into the Chamarajapuram Game Preserve and shot a bison and when the Game Supervisor Ranganatha Rao refused to give up the head of the bison the latter assaulted him. The supervisor lodged a complaint before the Addl. Magistl. Imposn. P.C., against the two persons for trespass

Sergt. Ike

over.

SUBJECT.

Eg

into the Game Preserve and for assault as the accused are European British subjects the case was transferred to Mr. P.F. Bowring J.P., Kolar. Mr. Jenkins having subsequently expressed his regret at the incident the charge of trespass was ordered to be withdrawn. But as regards the charge of assault by ~~Mr. Jenkins and Dr. Freeman was not willing to~~ compound the case though the Game Supervisor, the complainant, was prepared for a compromise. Mr. Bowring has, therefore, charged the two persons for an offence under section 353 of the I.P.C. and the case stands posted to the 20th January 1917.

The result of the trial will be intimated in due course.

I have &c

Eg 14/12

for Secy. to Govt.

Ex. Dept.

List of enclosures

Copied by

Examined by

GPB—20.00—10-10-14

H. 16.12.16.

(50 Police

G. R. S. 26]

File No. 19615

Serial No. 18

Diary No. of letter replied to .....

No. F 3257

General and Revenue Secretariat

( )

, *the* 191 .

To

The D. I. G. Police.

Sir,

Date of issue 7/3/17

Signed by N. G. Srinivasa Iyer

In forwarding herewith for signature an extract from the questions received from Mr. M. Kamik Krishnamurthi Member, Imperial Legislative Council for being answered at the meeting of the Council on 20.3.17 I am directed to request you to be so good as to furnish (before the 16th instant) information necessary to

over.

SUBJECT.

57

Please answer to the question contained therein and to any supplementary paper in this case.

I have &c.

for Secretary to Govt:
Fl Dept:

B.T.
7.3.17

List of enclosures

Copied by

Examined by

G P B—20,000—10-10-14

(52 Jud 1403-16

Del 4-20 P.M. 10/3 SECRETARIAT III JUDICIAL 10 MAR 1917

D. Dis. 1158

Rec. Three.

REV. DEPT. III/B 10 MAR 1917

District Magistrate's office,

Kolar District,

Dated Kolar, the 9th March 1917.

file no. 19615
sl. no. 19

From

P. F. B O W R I N G, Esquire., J.P.,

District Magistrate, Kolar District.

To

D. M. Narasinga Rao, Esquire., B.A., B.L.,

Secretary to the Government of Mysore,

General Department, Bangalore.

Sir,

With reference to your letter No.J.3257 dated 7th March 1917, forwarding an extract of questions, received from Mr. M. Karnick Krishna Murti Rao and asking me to furnish information necessary to frame answers to the questions contained therein, I have the honor to forward herewith a memorandum containing the information required.

I have the honor to be,

Sir,

Your most obedient servant,

District Magistrate,
Kolar District.

From

The District Magistrate,
Kolar District.

To

The Secretary to the Govt. of
Mysore, Gen. Dept, Bangalore

Dated 9th March 1917

Despatched

Received

General No.
No.

Enclosure No. 3.

Forwarding a memorandum furnishing information in connection with a question received from Mr. Karnik Krishna Murti Rao, Member, Mysore Legislative Council regarding the Forest Case against Mr. Jenkins.

GPB—50,000—8-1-13

53

Answers.

Interpellations by Mr. Karnick Krishnamurti Rao.

Has the attention of the Government been drawn to the General Secretary's letter, No.J. 769/Police.196-15-10 dated 24th August 1916, to the Conservator of Forests which for the sake of ready -- reference is appended below:-

With reference to correspondence ending with letter No.313 dated 11th July/16, regarding the complaints of the tresspass and assault lodged by the Game Supervisor Ranganatha Rao of Chamrajnagar Game -- Preserver against Mr. Jenkins and Dr. Freeman of Kolar Gold Fields, I am directed to state that the complaint of tresspass may be withdrawn. In the case of assault however, as the complainant is not Government but an individual who happened to be Game Supervisor, he must agree to the complaint in this respect being compromised.

It seems to me that Government having withdrawn the case of tresspass should have withdrawn the assault case against the Supervisor as he is a -- Government servant and cannot be classed as an individual who happened to be Game Supervisor.

Has the attention of the Government been drawn to the order of the Officer in charge of the Game Preserves, No.213 dated the 18th September 1916 which for the sake of ready reference is also appended.

No remarks.

"...he, the Game Preserve Supervisor may get the same compromised if the accused

(54

desires for a compromise, if not he is at liberty to proceed against them at his own cost. He may, however, bring to the notice of the District Magistrate that the complaint was under section 353, Indian Penal Code, as he, a Government servant was -- assaulted while in the discharge of his Government duty in his Government uniform."

Copy of order sent.

Will the Government be good enough to place on the Table the order of the Magistrate who tried the case ? And also will

It is for Government to explain.

they be pleased to lay down the difference between Government and individuals who happen to be in the employ of Government ? Is the Game Supervisor a public servant or not ? If he is not who pays him ? Is it a fact that the District Magistrate, Mysore, registered his complaint as one falling under ordinary assault and that the District Magistrate, Kolar, who tried at Kolar, as Justice of the Peace tried it as one falling under section 353, Indian Penal Code. Assaul against a Public servant ?.

Yes he is. Government pays him.

Yes.

It was not alleged that the assault was indecent.

With a view to the better execution of justice and protection of public servants against such indecent assaults will the Government please lay down a definite procedure for the guidance of the Deputy Commissioners and Heads of Depa rtment ? In view of the utter failure of justice

Not necessary ~~to-day~~ The protection afforded to public servants and procedure to be adopted is quite clear in such matters.

55

Copies have been obtained by the Game Preserve Officer to file an appeal to the High Court if considered advisable by the Government Advocate.

the case and also to obtain an authoritative ruling in similar cases will the -- Government appeal against the order of discharge to the Hon'ble High Court of Judicature in Madras who are the appellate authorities in cases tried by Justices of the Peace ?

District Magistrate
9/3/17

56

IN THE COURT OF THE JUSTICE OF THE PEACE, KOLAR.

Dated the 20th day of January

1 9 1 7.

Present:- R. F. BOWRING, Esquire.,

Justice of the Peace, Kolar.

Criminal case No. 10 of 1915-1916.

Complainant	vs.	Accused.
Ranganatha Rao.		Mr. S. E. Jenkins. Dr. E.T. Freeman.

Under sec: 353. I.P.C.

J u d g m e n t.

The accused in this case Mr. Jenkins and Dr. Freeman have been accused by one Ranganatha Rao, a Game Supervisor in the Mysore District with obstructing him in the execution of his duty.

2. On the 29th April he went to their camp and having found out that Dr. Freeman had shot a black buck, but was unable to produce his license, and Mr. Jenkins had shot a bison in game preserve, he took possession of the trophies, to -- which no opposition was made and removed them to his village Nagavalli, not far away.

3. Mr. Jenkins and Dr. Freeman who were breaking up their camp that day went to Chamarajanagar some seven miles off and wired to the Messrs. Theobalds professional shikaries and taxidermists in Mysore who arrange the shoot for them, to send out their licenses with the motor car that was to take them back to Mysore.

4. When the licenses arrived with the car the two accused

went back to Nagavalli and according to the story of the complainant demanded the return of the trophies. Complainant states that at that time he was just about to start with a cart to take the skins and horns to the Magistrate at Chamarajanagar ror orders.

5. Some conversation, he says, took place between them and the accused began to push him from one to the other, while both of them in turn lifted him up off the ground and dropped him down again on his feet. The complainant it may be mentioned knows English. Mr. Jenkins, he says, called him a dammed fool. The consequence of this was that the complainant was so frightened that he returned Dr. Freeman his black buck skin and head but nevertheless had the courage to retain the bison trophies.

6. The two witnesses to corroborate this, which is the gist of the case as far as the offence of obstructing a public -- servant is concerned, are the patel and shanbhog of Nagavalli.

7. They corroborate each other very nicely, but they do not corroborate the complainant. They say that complainant was pushed about, but that only the 2nd accused lifted him up off the ground.

8. They relate portions of the conversation which took place in Ehglish and say that the school master who by the way was summoned as a witness but could not be served as he had gone away, translated it to them at the time.

9. The accused, they say, called the complainant many times a dammed fool and a native bugger, the 3rd witness says

it was native bigger, but that is only a very minor discrepancy. The word 'native' I suppose is now looked upon as a term of abuse. Anyhow, the complainant does not say that he was called a 'native bugger', though in his complaint statement he says he was called a 'native beggar'. The witnesses are possibly airing all the words of English abuse that they happen to know.

10. According to the statement of Dr. Freeman which I have no reason whatever to doubt, when he returned with his license to Nagavalli and showed it to the complainant, the latter at first refused to return the black buck skin and head but subsequently did so. Complainant took a receipt from Dr. Freeman vide Ex. D.2 in which it is stated that Dr. Freeman has -- received buck his trophy complainant having seen the license.

11. The complainant now denies that he ever saw the license Ex. D.1. at all and says that it was only a memo that he saw stating that licenses had been applied for. I cannot believe this. Complainant is quite unable to explain how it could be that through fear he returned the black buck trophies, but yet was not afraid to retain the head and skin of the bison shot by Mr. Jenkins.

12. In fact from the very beginning Mr. Jenkins made no attempt to keep his trophy as he knew he had shot it in a preserve which would have to be explained before he could get it.

13. I fail to see that there has been any obstruction whatever to the Game Supervisor and I accordingly discharge the accused under section 253 of the Criminal Procedure Code.

14. There are one or two remarks I should like to make in connection with this case that may not be out of place.

15. Mr. Jenkins says that 4 or 5 weeks before they went to Mysore, licenses were applied for through the Messrs. Theobalds of Mysore. The licenses were not delivered until the day they were leaving and this trouble arose. I cannot say who is responsible but such delays in granting licenses are regrettable.

16. The shoot was apparently arranged by Messrs. Theobalds who sent two men with the accused who had no local knowledge of the country with the result that a bison was shot in a Game Preserve.

17. The accused had pitched their camp close to a game preserve apparently, and close to where the complainant has his Head Quarters.

Although they were there for a week neither the complainant who is the Game Supervisor nor any of his subordinates seems to have considered it his duty to warn them of the places where it is prohibited to shoot game.

Sd. P. F. BOWRING.
Justice of the Peace,
K o l a r.

Copy

District Magte
9/3/917.

the buck we had been there although we lived within 600 yards of the place. I spoke to him for some time, gave him some medicine and a prescription and left him. He went to Chamaraja nagar and wired to Chedbalk to send the licensee with the car as we were going back that day. He went back to his village with the licensee between 5 or 6 in the afternoon. He was then out of uniform wearing a dhoti and sitting on a mat in the village talking to a number of people. There was no car or procession forming to take the trophies to Cha arajanagar -- nothing of the kind.

I showed him the license and asked for the head of the buck He refused to give it. I asked him why he showed me a pencil note in his book of Regulations that bucks were not allowed to be shot in that District till 1917. I pointed out that the license authorized the shooting of two bucks in that District. He admitted that but said he could not comprehend the Regulations that he had received from the Range Officer. He said the Range Officer lived in Chamarajanagar and I asked him to come with me and interview him and said I would take him there in the motor. He said he would not come. I then said I would give him 10 minutes to decide whether he would give me the buck or come with me to Chamarajanagar. He went home, with in his uniform and came out and met on the verandah of his house. He gave me the buck head and skin and I gave him receipt for it exhibit .B.

Q. Did you abuse him ?

A, No, I did not abuse him or call him any names.

Q.Did you push him about?

A.I asked him if he would come with me in the car and put my hand on his shoulder but I did not push him. Jolt him up or jerk him or do anything else to him.

Q. Have you any witnesses?

A. No.

I don't remember any thing about this memo that is spoken of to-day. The only paper that passed between me that day was the 21 memo I produced in court to-day, and his book of Regulations.

64

No 4290
409

OFFICE OF THE
INSPECTOR GENERAL OF POLICE IN MYSORE.

Dated Bangalore, the 17th March 1917.

20 DIARY No. J.2067

Encls. 1

From

RAJASABHABHUSHANA
DIWAN BAHADUR C. SRIKANTESVARA AIYAR, B.A., B.L.,
Inspector General of Police in Mysore.

To

D.M. Narasinga Rao Esquire, B.A., B.L.,
Secretary to the Government of His Highness
the Maharaja of Mysore, General Department.

Sir,

With reference to your letter No. J.2293/Police 196-15-16 dated 28th December 1916, requesting to depute a competent Police officer to conduct the prosecution of Mr. Stanley E. Jenkins and Dr. Freeman of Kolar Gold Fields in the Court of Mr. P.F. Bowring, Justice of the Peace, Kolar, I have the honor to forward herewith copy of judgment in the case for the information of Government and perusal of remarks in paras 14 to 17 therein.

I have the honor to be,

Sir,

Your most obedient servant,

Inspector General of Police.

65

IN THE COURT OF THE JUSTICE OF THE PEACE, KOLAR.

Dated the 20th Day of January 1917.

Present:-

P.F. Bowring Esquire,

Justice of the Peace, Kolar.

Criminal Case No. 10 of 1916-17.

Complainant.		Accused.
Ranganatha Rao.	Vs.	Mr. S.E. Jenkins. Dr. E.T. Freeman.

Under Section 353 I.P.C.

J U D G M E N T.

The accused in this case Mr. Jenkins and Dr. Freeman have been accused by one Ranghanatha Rao, a Game Supervisor in the Mysore District with obstructing him in the execution of his duty.

2. On the 29th April he went to this camp and having found out that Dr. Freeman had shot a black buck, but was unable to produce his license, and Mr. Jenkins had shot a bison in game preserve, he took possession of the trophies, to which no opposition was made, and removed them to his village Nagavalli not far away.

3. Mr. Jenkins and Dr. Freeman who were making at this camp that day went to Chamarajanagar some miles off and wired to the Messrs. Theobalds professional shikaries and taxidermists in Mysore who arrange the shoot for them, to send out their licenses with the motor car that was to take them back to Mysore.

4. When the licenses arrived with the car the two accused went back to Nagavalli and according to the story of the complainant demanded the return of the trophies.

66

Complainant states that at that time he was just about to start with a cart to take the skins and horns to the Magistrate at Chamarajanagar for orders.

5. Some conversation, he says, took place between them and the accused began to push him from one to the other, while both of them in turn lifted him up off the ground and dropped him down again on his feet. The Complainant it may be mentioned knows English. Mr. Jenkins he says called him a damned fool. The consequence of this was that the complainant was so frightened that he returned Dr. Freeman his black buck skin and head, but nevertheless had the courage to retain the bison trophies.

6. The two witnesses to corroborate this, which is the gist of the case as far as the offence of obstructing a public servant is concerned, are the Patel and Shanbogue of Nagavalli.

7. They corroborate each other very nicely, but they do not corroborate the complainant. They say that complainant was pushed about, but that only the 2nd accused lifted him up off the ground.

8. They relate portions of the conversation, which took place in English, and say that the School Master, who by the way was summoned as a witness, but could not be served as he had gone away, translated it to them at the time.

9. The accused, they say, called the complainant many times a damned fool and a native baggar, the 3rd witness says it was native bigger, but this is only a very minor discrepancy. The word 'native' I suppose is looked upon as a term of abuse. Any how the complainant does not say that he was called a 'native baggar', though in his complainant statement he says he was called a 'native beggar'. The witnesses are possibly airing all the words of English abuse that they happen to know.

10. According to the statement of Dr. Freeman which I

67

have no reason whatever to doubt, when he returned with his license to Nagavalli and showed it to the complainant, the latter at first refused to return the black buck skin and head but subsequently did so. Complainant took a receipt from Dr. Freeman vide Exbt. D 2 in which it is stated that Dr. Freeman has received buck his trophy, complainant having seen the license.

11. The complainant now denies that he ever saw the license Exbt. D 1 at all and says that it was only a memo that he saw stating that licenses had been applied for. I cannot believe this. Complainant is quite unable to explain how it could be that through fear he returned the black buck trophies, but yet was not afraid to retain the head and skin of the bison shot by Mr. Jenkins.

12. The fact from the very beginning Mr. Jenkins made no attempt to keep his trophy as he knew he had shot it in a preserve which would have to be explained before he could get it.

13. I fail to see that there has been any obstruction whatever to the Game Supervisor and I accordingly discharge the accused under Section 253 of the Criminal Procedure Code.

14. There are one or two remarks I should like to make in connection with this case that may not be out of place.

15. Mr. Jenkins says that 4 or 5 weeks before they went to Mysore licenses were applied for, through the Messrs. Theobalds of Mysore. The licenses were not delivered until the day they were leading and this trouble arose. I cannot say who is responsible but such delays in granting licenses are regrettable.

16. The shoot was apparently arranged by Messrs. Theobalds who sent two men with the accused who had no real knowledge of the complainant with the result that a bison was shot in a game preserve. The accused had pitched this camp close to

a game preserve apparently, and close to where the complainant has his Head Quarters.

17. Although they were there for a week neither the complainant who is the Game Supervisor, nor any of his subordinates seems to have considered it his duty to warn them of the places where it is prohibited to shoot game.

Sd./- P.F. Bowring,
Justice of the Peace,
K o l a r.

"COPY"

Inspector General of Police.

64

Police

G. R. S. 26]

File No. 196-15

Serial No. 2

Diary No. of letter replied to .....

No. J 3763 Encl

General and Revenue Secretariat

( )

, *the* 191 .

To

The D.C. Kegalle, Ruwanwella D.C.

Date of issue 28/4/17

Signed by W.G. Srinivasa for S.

Sir,

With reference to your letter No. C 145 of 16-17 dated the 19th July 1916 regarding the criminal proceedings instituted against Mr. Stanley E. Jenkins and Dr. Freeman of the K.G.T by Gam Sirpiriwasa Rangarakkha Rad, I am directed to forward for your information herewith an extract from the judgment of Mr. P.F Browning

710.

over.

SUBJECT.

Wet 28/4/17

WK-2 19/4/17.

J. P. in the case of and to request you to be so good as to use that delays, if any, in issuing licenses to avoided.

I have &c

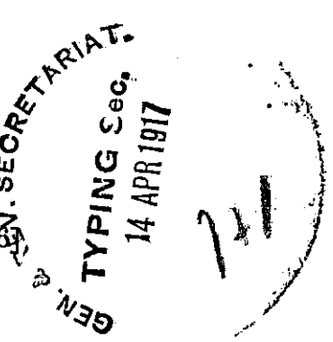
for Secy. to Govt.

List of enclosures

Copied by

Examined by

G.P.B.—20,000—10-10-14



G. R. S. 26

Diary No. of letter replied to .....

29.3.17 (71

Police

File No. 196-15

Serial No. 22

No. Pol 1033

General and Revenue Secretariat

( )

, *the* 191 .

Date of issue 20. 4. 17

Signed by Mr P B Ramaswamy 9. 21 IV 17

To

The 7. A. Resident

Sir,

In continuation of this office letter no. Pol 646 dated the 26th Dec 1916 regarding the trial of Mr. Stanley E. Jenkins and Dr. Freeman of the K. G. H. for assaulting a public servant I am directed to state that Mr. P. F. Bonning ~~A~~ J. P. who tried the case discharged the accused under section 253 of the Criminal Procedure Code.

I have &c.

B 10 over for Secy to Govt.
Gl. Asst.

SUBJECT.

B.J. 12.4.17